



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/419,749	10/16/1999	TAD A. DEFFLER	22074661-255	1735

26453 7590 11/26/2002

BAKER & MCKENZIE
805 THIRD AVENUE
NEW YORK, NY 10022

EXAMINER

COLBERT, ELLA

ART UNIT	PAPER NUMBER
----------	--------------

3624

DATE MAILED: 11/26/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/419,749

Applicant(s)

DEFFLER ET AL

Examiner

Ella Colbert

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION
R s p o n s t o A m e n d m e n t

1. Claims 1-6 and newly added claims 7-9 are presented for examination. Claims 7-9 have been added in this communication filed 08/21/02, entered as RCE, paper no. 24.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aho, Alfred; Sethi, Ravi; and Ullman, Jeffery D., hereafter Aho.

With respect to claim 1, Aho teaches, analyzing a macro language expression (page 6, sec. 1.2 , lines 1-6), determining based on predetermined syntax of a macro language, one or more keywords in the analyzed macro language expression (page 6, sec. 1.2, lines 7-25, page 7, lines 1-21, page 12, sec. 1.3, lines 1-25, and page 13), the keyword representing an extended macro command initially unknown to the macro language (page 183, Sec. 4.4, paragraph 1), executing the code of instructions associated with a keyword (page 16, Sec. 1.4, lines 1-39, page 17, Sec. 1.4, lines 1-20), wherein the extended macro command is executed without recompiling the macro language (page 391, paragraph 3, page 399). Aho did not teach, retrieving a code of instructions associated with the keyword from a registry of keywords, but it would have been obvious at the time the invention was made to one having ordinary skill in the art of keywords to retrieve a code of instructions associated with the keyword from a

registry of keywords and in view of Aho's teaching of keywords in the macro language on page 183, Sec. 4.4, lines 7-14 to incorporate in Aho a registry of keywords because it is well known in the art that the C language itself has a registry of 33 keywords with the keywords being used in the source code and compiling of the macro language.

With respect to claim 2, Aho teaches, extending the registry of keywords by inserting a new keyword representing a new macro command and a code associated with the new keyword (page 212, Sec. 4.6, paragraphs 1 and 2). A registry of keywords because it is well known in the art that the C language itself has a registry of 33 keywords with the keywords being used in the source code and compiling of the macro language, *supra*.

With respect to claims 3, Aho teaches, a parser having a predefined syntax determining one or more extended keywords embedded within a macro language expression, the extended keyword representing a newly extended command initially unknown to a macro language (page 7, Sec. 1.2, lines 22-31, pages 40-47, page 48, Sec. 2.4, paragraphs 1 and 2, and page 283, paragraphs 3 and 4). It is well known in the art of programming that by definition a macro expands or is extended and is compiled initially at runtime.

Aho did not teach, a keyword repository having one or more keywords and one or more associated codes and a macro handler coupled to the parser for receiving an extended keyword from the parser, the macro handler in response to the received extended keyword, retrieving a code of instructions associated with the received extended keyword from the keyword repository and executing the code of instructions to run the extended command represented by the extended keyword, but it would have

Art Unit: 3624

been obvious at the time the invention was made to a person having ordinary skill in the art of extended keywords to have a parser and code associated with the extended keywords and to incorporate in Aho because such a modification is well known in the art and would enhance Aho's extended keywords with the parser receiving the keyword first, then parsing the expression and the macro handler in response saving the previous contents of the processor registers (keywords) during execution of the main program with the user selecting the functions and submitting the macro command to run the code associated with the keywords with a prefix symbol.

With respect to claim 4, Aho teaches, a keyword repository augmented to include one or more new keywords and one or more associated codes (page 193, Sec. 4.4, paragraph 3.

With respect to independent claim 5, this claim is rejected on grounds corresponding to the reason given above for rejected independent claim 1. Applicant's claim 5 has a method for parsing a macro language expression with steps corresponding to the method in rejected claim 1.

Art Unit: 3624

With respect to claim 6, Aho teaches, wherein the code includes machine operable instructions (page 128, Sec. 3.7, paragraph 3.8 and page 129 –page 130, paragraph 1).

With respect to claim 7, this independent claim is rejected for the similar rationale given for claim 1.

With respect to claim 8, this independent claim is rejected for the similar rationale given for claim 3.

With respect to claim 9, this rejected for the similar rationale given for claims 1 and 7.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Applicants' are requested to review the references prior to responding to the Office Action.

Sites (US 5,649,203) disclosed finding and translating program code.

Goss et al (US 4,667,290) disclosed translating the source code into an intermediate language followed by the generation of object code.

INQUIRIES

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 703-308-7064. The examiner can normally be reached on Monday-Thursday from 6:30 am -5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 703-308-1038. The fax phone numbers

Application/Control Number: 09/419,749

Page 6

Art Unit: 3624

for the organization where this application or proceeding is assigned are 703-305-7687 for Official communications and 703-746-5622 for Non-Official communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.



E. Colbert

November 21, 2002